

REMARKS

Claims 1-24 are currently pending in the application. Herein, applicant amends independent claims 1, 16 and 17.

In paragraphs 1 and 2 of the office action, the Examiner rejects claims 1-24 as being unpatentable over US patent 4,028,041 (Zambrano) in view of US patent 5,783,123 (Edwards) and US patent 4,645,991 (Ban).

A. Discussion of Examiner's "Response to Arguments"

In its response to the March 1, 2005 office action, the applicant argued that none of the cited references disclosed a drive-motor that is disposed, at least in part, above a plane of said upwardly facing flat surface. The applicant referred the Examiner to specific figures and sections of the cited reference to show that such a placement was never disclosed, and was contrary to the teachings of the references. In the "Response to Arguments" of this office action, the Examiner stated that such a drive-motor position "does not change the operation of the device", and that it "does not matter where the motor is located". However, as stated in the previous response (emphasis added):

In contrast to Zambrano and Edwards, the invention of claim 1 has the drive motor, at least in part, above the upwardly facing flat surface. Referring to Fig. 4 of the specification, the motor 150 is, in part, positioned above the top surface of the pottery wheel 114. This arrangement enables a sufficiently powerful electric drive motor 150 to be used, while still allowing a relatively short wheel-head height 102. Such a motor arrangement is contrary to known motor arrangements, as the claimed motor arrangement interferes with access to the pottery wheel. For example, ready access is available to the exemplary wheel head for only about 300 degrees, making

it difficult or cumbersome to use the wheel from the other 60 or so degrees. See Specification, paragraph 29, and Fig. 2.

The claimed drive-motor position changes the operation of the device by restricting the access to the flat surface. Although this access limitation is disadvantageous from a use perspective, it enables a sufficiently large motor to be used for powering the wheel-head. In this way, more substantial work may be performed by the "portable, table-top" pottery wheel. As shown in claim 1, a mass of up to about 50 pounds of clay may be used!

B. Proposed Claim Amendments

The applicant proposes minor claim amendments to the independent claims 1, 16, and 17. These amendments add no new matter, and are made to emphasize that the motor position changes the operation of the device. The applicant believes these amendments place all the claims in a condition for allowance, and respectfully request that the Examiner enter these amendments. Also, these amendments place the claims in a better condition for appeal.

The applicant has amended each of claims 1, 16, and 17 to emphasize that in the claims, the drive-motor is positioned "such that access to the flat surface is restricted to an arc". Paragraph [0029] of the specification as published states that:

"Exoskeleton 108 is preferably shaped in the form of compound curve 126a, 126b, 126c that accommodates ready access to wheel head 116 about an arc 128 that subtend about 300 degrees around the circumference 130 of the wheel head 116."

This shows that the claimed position of the wheel head has an operational effect, and is not "merely shifting the position of the parts without changing the operation of the mechanism" (*see the Examiner's Response to Arguments*). The specific positioning of the drive-motor has an operational effect, so accordingly, the applicant respectfully requests that the Examiner reconsider the remarks made in the "Response to Arguments" section.

Conclusion

The applicant has reviewed the prior art made of record and not relied upon, and believes the pending claims are patentably distinguishable from all cited art. The applicant respectfully submits that pending claims 1 - 24 are now in a condition for allowance. Any questions regarding this application may be directed to the undersigned.

Respectfully submitted,

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